



DANIEL ALTCHER

410.385.3804
daltchek@milesstockbridge.com

April 12, 2017

E-FILE

Mr. Gary Shinnars
Executive Secretary
National Labor Relations Board
1015 Half Street SE
Washington, D.C. 20570-0001

Re: Supreme Airport Shuttle, LLC, 05-RC-187864

Dear Mr. Shinnars:

We write on behalf of Supreme Airport Shuttle, LLC (the “Employer”), in regard to the above-referenced matter.

The Employer has just filed a Request for Review of the March 23, 2017 Order of the Regional Director Denying the Employer’s Motion to Require Petitioner’s Counsel to Withdraw. We write to request a stay of proceedings pending a determination by the Board on the Employer’s Request for Review.

As you may recall, the representation hearing in this matter had been commenced by the Regional Office but with the limitation that it would be suspended and held in abeyance after the Employer’s completion of its case-in-chief. Thus, the representation hearing has been held in abeyance by the Regional Office pending, initially, the Board’s decision on the question of the Regional Director’s authority to decide the Employer’s Motion, and then, after the Board answered that question in the affirmative, the Regional Director’s decision on the merits of the Motion.

The representation hearing is now scheduled to resume tomorrow, April 13, 2017, at 9:00 a.m. The Employer has made a request to the Regional Office to continue to hold proceedings in abeyance pending a decision on the Request for Review. That request has not yet been decided so the Employer is also hereby asking the Board to issue a stay of proceedings pending a decision on the Request for Review.

The justification for the stay is the same as the rationale behind the suspension of proceedings that has been in place to date. Specifically, to allow proceedings to go forward with Petitioner’s counsel representing Petitioner, while the matter of his disqualifying conflict is pending before

the Board, would be highly prejudicial to the Employer. The disqualification of Petitioner's counsel cannot be granted on a retroactive basis. If the Board were to grant the Request for Review and ultimately reverse the Order on the merits, it would be impossible to cure the harm sustained by the Employer from the resumption of the hearing through the date of the Board's determination. Accordingly, the requested stay is necessary to ensure that the Employer is not forced to litigate against an opposing counsel who should not have been permitted, under the applicable rules of professional conduct, to participate in this proceeding.

We respectfully submit that this constitutes extraordinary circumstances warranting a stay of proceedings. Given the imminence of the resumption of the hearing, we respectfully seek expedited treatment of this request.

Thank you for your attention to this matter.

Very truly yours,



Daniel Altchek

Cc: Mr. Charles L. Posner
Regional Director for Region 5

John M. Singleton, Esq.
Counsel for Petitioner